



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
On August 6, 2008

Date of Meeting: March 4, 2008

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 5:47 p.m., on Tuesday, March 4, 2008, all members having been notified of the time and place thereof.

1. ROLL CALL

The meeting was called to order by Mayor Walkup and upon roll call, those present and absent were:

Present:

Regina Romero
Rodney Glassman
Karin Uhlich
Shirley C. Scott
Nina J. Trasoff
Robert E. Walkup

Council Member Ward 1
Council Member Ward 2
Council Member Ward 3
Council Member Ward 4
Vice Mayor, Council Member Ward 6
Mayor

Absent/Excused:

Steve Leal

Council Member Ward 5

Staff Members Present:

Mike Hein
Michael Rankin
Roger W. Randolph
Mike Letcher

City Manager
City Attorney
City Clerk
Deputy City Manager

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Debra Counseller, City Clerk's Office, after which the Pledge of Allegiance was led by the entire assembly.

Roger W. Randolph, City Clerk, announced Susie Rogers would be assisting with anyone in the audience needing Spanish language translation for items listed on the agenda.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 96, dated March 4, 2008, was received into and made a part of the record. He also announced this was the time scheduled to allow members of the Council to report on current events and asked if there were any reports.

a. Council Member Romero invited the public to the following events: The reopening of the Santa Cruz River Farmers' Market located on the northeast corner of Speedway and Riverview every Thursday through November, the Health and Safety Fair hosted by El Rio Neighborhood Center on March 8, 2008, and Barrio Hollywood's Sixth Annual "Fiesta Grande" Street Fair on March 29 and 30, 2008.

b. Council Member Glassman announced Tucson Unified School District's "Opening Minds Through the Arts" program would hold a special presentation of student performances at Rincon High School on March 8, 2008.

c. Council Member Uhlich announced the local National Alliance for the Mentally Ill Walk would start at the Kino Veteran's Memorial Center on March 29, 2008.

d. Vice Mayor Trasoff made the following announcements:

A water harvesting project was started by the Watershed Management Group and Ironwood Middle School students on Cele Peterson's property located at the northeast corner of Broadway and Country Club.

The first tour of Rio Nuevo was held March 1, 2008. Participants were shown a Power Point presentation and then taken to some of the sites. The next tour would be held March 22, 2008.

As Vice Mayor, she had the pleasure of representing the Mayor at the one-hundredth birthday celebration of Hom Ngan Oy Lee, held at the Chinese Cultural Center.

In honor of Women's History Month, the Ward 6 office would host the opening and reception for an Art Exhibit of works by women poets and visual artists on March 6, 2008.

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 97, dated March 4, 2008, was received into and made a part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

No report was given.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager's communication number 98, dated March 4, 2008, was received into and made a part of the record. He asked the City Clerk to read the Liquor License Agenda.

b. Liquor License Applications

New License(s)

1. D & F Mobil, Ward 6
6101 E. 22nd St.
Applicant: Mohammad Sajjad
Series 10, City 4-08
Action must be taken by: March 24, 2008
Staff has indicated the applicant is in compliance with city requirements.
2. 7-Eleven #13048F, Ward 6
5457 E. Pima Street
Applicant: Hector Gustavo Acosta
Series 10, City 5-08
Action must be taken by: March 9, 2008
Staff has indicated the applicant is in compliance with city requirements.

Person Transfer(s)

3. Enoteca Pizzeria Wine Bar, Ward 1
58 W. Congress
Applicant: Thomas Robert Aguilera
Series 7, City 3-08
Action must be taken by: March 14, 2008
Staff has indicated the applicant is in compliance with city requirements.

c. Special Event(s)

1. It's Happening Downtown, Inc., Ward 1
101 N. Stone Avenue
Applicant: Brandi Renee Haga
City T7-08
Date of Event: March 15, 2008
(To showcase local artists & musicians & promote a festive spirit of community in our downtown)
Staff has indicated the applicant is in compliance with city requirements.
2. American National Red Cross, Southern Arizona Chapter, Ward 3
250 E. Grant Rd.
Applicant: Richard K. White
City T10-08
Date of Event: March 15, 2008
(Fundraiser for Southern Arizona Chapter)
Staff has indicated the applicant is in compliance with city requirements.

d. Agent Change/Acquisition of Control

NOTE: There are no agent changes scheduled for this meeting.

It was moved by Council Member Romero, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Leal absent/excused), to forward liquor license applications 5b1 through 5b3 and 5c1 and 5c2 to the Arizona State Liquor Board with a recommendation for approval.

6. CALL TO THE AUDIENCE

Mayor Walkup announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except for any items scheduled for a public hearing. Speakers would be limited to three-minute presentations.

- a. Don Foster spoke regarding his candidacy for Congressman in District 7, the pursuit of personal happiness, the economy, and law enforcement.
- b. Jim Cook spoke in support of the proposed One West Development affordable housing project.
- c. Ian Fritz spoke in opposition to the proposed One West Development affordable housing project.
- d. Lorraine Stockdale spoke in support of the proposed One West Development affordable housing project.

- e. Megan Southern spoke in opposition to the proposed One West Development affordable housing project.
- f. Adelene Sampson spoke in opposition to the proposed One West Development affordable housing project.
- g. Michael Toney spoke regarding Growing Smarter, gentrification and affordable housing.
- h. Gail Toomey spoke in support of the proposed One West Development affordable housing project.
- i. Lila Sideras spoke in opposition to the proposed One West Development affordable housing project.
- j. Piper Weinberg spoke in opposition to the proposed One West Development affordable housing project.
- k. Steve Murray spoke in support of the proposed One West Development affordable housing project.
- l. Jonathan Crowe spoke in support of the proposed One West Development affordable housing project.

7. CONSENT AGENDA – ITEMS A THROUGH K

Mayor Walkup announced the reports and recommendations from the City Manager on the Consent Agenda Items were received into and made a part of the record. He asked the City Clerk to read the Consent Agenda.

- A. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR A JOINT HOUSING PROGRAM
 - 1. Report from City Manager MARCH4-08-101 CITY-WIDE & OUTSIDE CITY
 - 2. Resolution No. 20897 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between Pima County and the City of Tucson regarding a Joint Housing Assistance Program; and declaring an emergency.
- B. PUBLIC IMPROVEMENT: EUCLID AVENUE, BROADWAY BOULEVARD TO SPEEDWAY BOULEVARD DISTRICT SIDEWALK AND LIGHTING IMPROVEMENT
 - 1. Report from City Manager MARCH4-08-102 WARD 6

2. Resolution No. 20885 Resolution fixing the time when Mayor and Council of the City of Tucson will hear and pass upon the assessments and proceedings theretofore had and taken for the improvement known as the “Euclid Avenue, Broadway Boulevard to Speedway Boulevard, District Sidewalk and Lighting Improvement” in the City of Tucson, Arizona.

C. ZONING: SALPOINTE CATHOLIC HIGH SCHOOL FOR PAD-16, WAIVER OF MINIMUM ACREAGE REQUIREMENT FOR PAD DISTRICT

1. Report from City Manager MARCH4-08-100 WARD 3
2. This is a request by the Planning Center on behalf of Salpointe Catholic High School for a waiver of the forty acre minimum land area required for Planned Area Development (PAD) districts to allow for the update and redevelopment of the 33-acre school site, south of Glenn Street between Cherry and Mountain Avenues.

Staff recommends authorization of a Planned Area Development (PAD) District for the 33-acre site south of Glenn Street between Cherry and Mountain Avenues. This will allow the applicant to proceed in the rezoning process and submit a rezoning application for a PAD.

D. ASSURANCE AGREEMENT: (S05-180) TRES PUEBLOS NORTE SUBDIVISION (RCP), LOTS 1 TO 51 AND COMMON AREAS “A-1” TO “A-6” AND COMMON AREA “B-1”

1. Report from City Manager MARCH4-08-107 WARD 5
2. Resolution No. 20900 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements required in connection with the approval in Case No. S05-180 of a final plat for Tres Pueblos Norte, Lots 1 through 51 and Common Areas “A-1” through “A-6”, and Common Area “B-1”; and declaring an emergency.

E. FINAL PLAT: (S05-180) TRES PUEBLOS NORTE SUBDIVISION (RCP), LOTS 1 TO 51 AND COMMON AREAS “A-1” TO “A-6” AND COMMON AREA “B-1”

1. Report from City Manager MARCH4-08-108 WARD 5
2. Staff recommends that, after approval of the assurance agreement, the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

F. FINANCE: COMMUNITY SUPPORT FUND TRANSFER FOR THE NATIONAL ALLIANCE ON MENTAL ILLNESS OF SOUTHERN ARIZONA

1. Report from City Manager MARCH4-08-105 WARD 3
2. Resolution No. 20898 relating to Finance; approving and authorizing the allocation of Two Hundred Dollars (\$200) from the Ward 3 Office Community Support Fund, Account No. 001-183-1898-268, to support funding for the National Alliance on Mental Illness (NAMI) WALKS, Southern Arizona 2008; and declaring an emergency.

This is a request by Council Member Uhlich. Allocation of funds is as follows:
Council Member Uhlich - \$200.00

Roger W. Randolph, City Clerk, announced Council Member Trasoff would allocate an additional \$100.00 for a total contribution of \$300.00.

G. FINANCE: COMMUNITY SUPPORT FUND TRANSFER FOR THE A. PHILIP RANDOLPH INSTITUTE SOUTHERN ARIZONA CHAPTER

1. Report from City Manager MARCH4-08-106 WARD 2
2. Resolution No. 20899 relating to Finance; approving and authorizing the allocation of One Hundred Dollars (\$100) from the Ward 2 Office Community Support Fund, Account No. 001-183-1898-268, to support funding for the A. Philip Randolph Institute Southern Arizona Chapter; and declaring an emergency.

This is a request by Council Member Glassman. Allocation of funds is as follows:
Council Member Glassman - \$100.00

Roger W. Randolph, City Clerk, announced Council Member Trasoff and Council Member Uhlich would each allocate an additional \$100.00 for a total contribution of \$300.00.

H. REAL PROPERTY: TRANSFER OF SURPLUS CITY-OWNED PROPERTY LOCATED AT 1039 NORTH STONE AVENUE TO STONE CORRIDOR PARTNERS, LLC

1. Report from City Manager MARCH4-08-104(2) WARD 1
2. Ordinance No. 10504 relating to real property; declaring certain City owned real property to be surplus, and authorizing the conveyance thereof to Stone Corridor Partners, LLC for the development of affordable housing; authorizing a development and sale agreement with Stone Corridor Partners, LLC; and declaring an emergency.

Roger W. Randolph, City Clerk, announced this item would be considered separately at the request of Council Member Romero.

I. FINANCE: COMMUNITY SUPPORT FUND TRANSFER FOR THE TUCSON GOLDEN ACES

1. Report from City Manager MARCH4-08-110 WARD 2
2. Resolution No. 20901 relating to Finance; approving and authorizing the allocation of Two Hundred Dollars (\$200) from the Ward 2 Office Community Support Fund, Account No. 001-183-1898-268, to the Tucson Golden Aces men's senior baseball team to play in the annual Senior World Series; and declaring an emergency.

This is a request by Council Member Glassman. Allocation of funds is as follows:
Council Member Glassman - \$200.00

J. MEMORANDUM OF UNDERSTANDING: WITH THE ARIZONA HISTORICAL SOCIETY AND THE RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT FOR ADVANCING PREDEVELOPMENT FUNDS

1. Report from City Manager MARCH4-08-111(2) WARD 1
2. Resolution No. 20902 relating to downtown development; approving the execution of a Memorandum of Understanding (MOU) between the City of Tucson (City), Arizona Historical Society (Society), and the Rio Nuevo Multipurpose Facilities District (District) for the purpose of advancing predevelopment expenses to the Society for construction of a museum and library; and declaring an emergency.

K. BOARDS, COMMITTEES, AND COMMISSIONS: AMENDING THE MEMBERSHIP OF THE RESOURCE PLANNING ADVISORY COMMITTEE

1. Report from City Manager MARCH4-08-112(2) CITY-WIDE
2. Ordinance No. 10507 relating to Boards and Commissions; amending Tucson Code Section 10A-201; adding two members to the Resource Planning Advisory Committee (RPAC); and declaring an emergency.

It was moved by Council Member Glassman, duly seconded, that Consent Agenda Items A through K, with amendments to Items F and G, and with the exception of Item H, which would be considered separately, be passed and adopted and the proper action taken.

Mayor Walkup asked if there was further discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott;
Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: Council Member Leal

Consent Agenda Items A through G and I through K, with amendments to Items F and G, were declared passed and adopted by a roll call vote of 6 to 0.

7. CONSENT AGENDA – ITEM H

H. REAL PROPERTY: TRANSFER OF SURPLUS CITY-OWNED PROPERTY LOCATED AT 1039 NORTH STONE AVENUE TO STONE CORRIDOR PARTNERS, LLC

1. Report from City Manager MARCH4-08-104(2) WARD 1
2. Ordinance No. 10504 relating to real property; declaring certain City owned real property to be surplus, and authorizing the conveyance thereof to Stone Corridor Partners, LLC for the development of affordable housing; authorizing a development and sale agreement with Stone Corridor Partners, LLC; and declaring an emergency.

Roger W. Randolph, City Clerk, announced this item was being considered separately at the request of Council Member Romero.

Council Member Romero said she wanted to provide background information and talk about the current project. Circumstances were different when the project was initiated two or three years ago and incorporated no more than ten percent affordable housing. She wanted to give credit to Dunbar Spring Neighborhood for their efforts to increase the percentage of affordable housing. The Council was now looking at a mixed-income, mixed-use, infill project that was LEED (Leadership in Energy and Environmental Design) certified, and the developers were willing to work with the neighborhood's provisions. Council Member Romero said she felt very strongly about affordable housing. In doing the research and being around the community for a long time, they had not seen a project with twenty-nine point eight percent affordable housing opportunity in it. They found themselves at a point where they really wanted to see responsible development. They wanted to see infill so they could protect the desert, and reinvest and grow the urban core. She said she found herself wanting the project to be approved.

Council Member Romero said she wanted to clarify that this was the first step in the process, and nothing would happen without the tax credits. The developer was creative enough to partner with a non-profit developer that wanted to apply for federal tax credits. The Council was not approving a development agreement yet; they were only giving permission to apply for the tax credits, without which nothing would move forward.

Council Member Romero said, for her, being an affordable housing advocate, she thought that twenty-nine point eight percent was very, very good. She said she didn't think they had seen any other project anywhere in the City of Tucson that was offering a mixed-housing opportunity with twenty-nine point eight percent affordable housing in it. She said she wanted to make sure they were clear about where they stood. They were at the beginning of the process, and if the tax credits were received, they were going to continue working with the neighborhood to make sure the provisions they worked on before, and any others, were worked on so they could be included in any development agreement that came about.

She asked the developers to make a presentation and answer any questions.

Jim Wilcox, of International Sonoran Desert Alliance (ISDA), the non-profit developer, said they believed in economic development that was compatible with the desert, and that was why they partnered with Stone Corridor Partners to bring thirty-two affordable artisan housing units to Tucson. He thought they listened to the neighborhood and had done the best job they could do with the financing available. They would have included more housing units if there was enough money to do that.

David Olanek, representing Stone Corridor Partners, said they worked with the neighborhood for three years, and intended to honor all the commitments they made. They felt it was a signature project, and a great model for partnerships between private developers and non-profits in addressing the severe shortage of affordable housing in Tucson and in promoting LEED-certified buildings and mixed-use development that was desperately needed downtown.

Council Member Romero said this was a responsible development by incorporating affordable housing into the area of Stone and Speedway, which was a gateway to downtown. She said she wanted to challenge the developers to acquire additional funding to increase the number of affordable housing units up to the thirty-three percent, and she looked forward to working with them after they obtained the tax credits, to ensure the neighborhood's concerns were being addressed.

It was moved by Council Member Romero, duly seconded, that Ordinance 10504 be passed and adopted.

Michael Rankin, City Attorney, said Section 3 of the Ordinance had a correction to be read into the record. He said the minimum number of affordable housing units that

must be included in the future development sale agreement should be thirty-two, instead of thirty.

Vice Mayor Trasoff said the project had come a long way since she first got involved approximately one and a half years ago, when they were happy to push the level of affordable housing up to ten percent in a project such as this, given the economics of it. She said finding a way to bring the level of affordable housing so close to thirty percent was wonderful creativity from the co-developer. The Stone Avenue Corridor study talked about aiming for one-third affordable housing along the Corridor. Vice Mayor Trasoff said the woman who headed the study, Barbara Becker, was very clear that it was not meant to apply to every development along Stone Avenue or in the Corridor, but they were aiming for that as a whole. She hoped to look for other opportunities within the Dunbar Spring Neighborhood and surrounding area to build more affordable housing and workforce housing, to compliment what was happening there in another way, with further development respecting the neighborhood priority which was shared by the Council as evidenced by discussion during Study Session.

Vice Mayor Trasoff said Council Member Romero talked about the gateway to downtown, and if one thought about the location being energized with One West on one corner, Pima Community College across the street, DeAnza Park being energized in another way with new residents in the area, and she was confident the empty lot across the street would also be developed soon thereafter. The fact that they were talking about mixed-use, intense development and a major transit corridor was also important; that was one of the Growing Smarter issues they talked about earlier, and she thought this project fed right into it with the number of affordable houses. She said she wanted staff to include a reversion clause in the contract, to ensure the developer would uphold promises and the City had recourse if explicit timelines and benchmarks were not met, with a reversion of the property to the City if the benchmarks were not met.

Mayor Walkup asked if there was further discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott;
Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: Council Member Leal

Ordinance 10504 was declared passed and adopted by a roll call vote of 6 to 0.

(Council Member Glassman departed at 6:42 p.m.)

8. TRANSPORTATION: RENAMING CLARK STREET AND A PORTION OF CLEARWATER DRIVE AS “CUSHING STREET”

Mayor Walkup announced City Manager’s communication number 103, dated March 4, 2008, was received into and made a part of the record. He asked the City Clerk to read the Ordinance 10506 by number and title only.

Ordinance No. 10506 relating to transportation; renaming Clark Street and a portion of Clearwater Drive as “Cushing Street”; and declaring an emergency.

It was moved by Vice Mayor Trasoff, duly seconded, to pass and adopt Ordinance 10506.

Mayor Walkup asked if there was further discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Uhlich, Scott;
Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: Council Members Glassman and Leal

Ordinance 10506 was declared passed and adopted by a roll call vote of 5 to 0.

(Discussion of this Item resumed after Item 9)

Discussion of this item was resumed for the purpose of voting on adoption of the emergency clause in Ordinance 10506.

Michael Rankin, City Attorney, advised that a motion was not necessary for reconsideration of the item in order to vote on the emergency clause.

Mayor Walkup asked for a roll call vote for the purpose of enacting the emergency clause in Ordinance 10506.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott;
Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: Council Member Leal

The emergency clause in Ordinance 10506 was declared passed and adopted by a roll call vote of 6 to 0.

9. ZONING: (C9-05-09) M&B MECHANICAL – MOUNTAIN AVENUE, R-2 TO C-3, ORDINANCE ADOPTION

(This item was discussed between Item 8.)

Mayor Walkup announced City Manager's communication number 109, dated March 4, 2008, was received into and made a part of the record. He asked the City Clerk to read the Ordinance 10505 by number and title only.

Ordinance No. 10505 relating to zoning: amending zoning district boundaries in the area located on the south side of 21st Street between Santa Rita Avenue and Mountain Avenue in Case C9-05-09, M&B Mechanical – Mountain Avenue, R-2 to C-3; and setting an effective date.

(Council Member Glassman returned at 6:44 p.m.)

It was moved by Vice Mayor Trasoff, duly seconded, to pass and adopt Ordinance 10505.

Mayor Walkup asked if there was further discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott;
Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: Council Member Leal

Ordinance 10505 was declared passed and adopted by a roll call vote of 6 to 0.

Discussion of Item 8 was resumed for the purpose of voting on adoption of the emergency clause in Ordinance 10506.

10. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager's communication number 99, dated March 4, 2008, was received into and made a part of the record. He asked for a motion to approve the appointments in the report.

It was moved by Council Member Uhlich, duly seconded, to appoint Susan Gamble, representing Warehouse Arts Management Organization, and Daniela Diamante, representing Dunbar/Spring Neighborhood Association, to the Downtown Links Citizen Advisory Committee.

Mayor Walkup asked if there was further discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott;
Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: Council Member Leal

The appointment of Susan Gamble, representing Warehouse Arts Management Organization, and Daniela Diamante, representing Dunbar/Spring Neighborhood Association, to the Downtown Links Citizen Advisory Committee was declared passed and adopted by a roll call vote of 6 to 0.

Mayor Walkup asked if there were any personal appointments to be made.

Vice Mayor Trasoff announced her personal appointment of Sharon O'Brien to the Out of School Program Task Force.

Council Member Glassman announced his personal appointment of Gregory Durnan to the Small Business Commission.

11. ADJOURNMENT: 6:46 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, March 18, 2008, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 4th day of March 2008, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:sl:cs